

SUPERIOR COURT BERGEN COUNTY
FILED

MAR 10 2004


DEPUTY CLERK

IN RE: DIET DRUG LITIGATION
VENUED IN BERGEN COUNTY

FILED

MAR 10 2004

CHARLES J. WALSH
J.S.C.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY
DOCKET NO. BER-L-7718-03 MT
CASE CODE 240

APPLICABLE TO ALL CASES

**CONSENT ORDER REGARDING
OUT-OF-STATE DISCOVERY**

THIS MATTER having been opened to the Court by counsel for plaintiffs and the Wyeth defendants, and the Discovery Committee having agreed to the provisions of the within Order, and counsel for plaintiffs and the Wyeth defendants having agreed to the form and entry of this Order, and good cause having been shown,

IT IS on this 10th day of March, 2004, ORDERED AS FOLLOWS:

1. The form of Order Issuing Commission to Compel Out-Of-State Discovery attached hereto as Exhibit A is approved for use in this litigation.
2. A party seeking the entry of an Order Issuing Commission to Compel Out-Of-State Discovery in the approved form shall simultaneously submit it to the Court by letter and serve it upon counsel in the action in which it is to be entered. In the absence of a valid written objection filed with the Court and served on counsel for the party seeking entry of the Order within five days of its submission and service, the Order Issuing Commission to Compel Out-Of-State Discovery will be entered.

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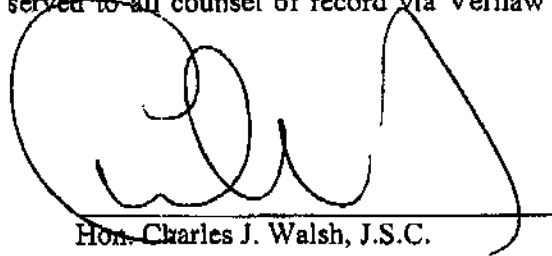
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3. Entry of this Order does not preclude a party from scheduling and/or conducting an out-of-state deposition without issuance of a commission or subpoena.

4. A copy of this Order shall be served to all counsel of record via Verilaw upon receipt.



Hon. Charles J. Walsh, J.S.C.

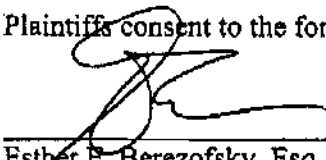
The Wyeth Defendants consent to the form and entry of this Order



Anita Hotchkiss, Esq.
Liaison Counsel for the Wyeth Defendants

Date: March 3, 2004

Plaintiffs consent to the form and entry of this Order



Esther E. Berezofsky, Esq.
Co-Liaison Counsel for Plaintiffs

Date: March , 2004

PORZIO, BROMBERG & NEWMAN, P.C.

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Morristown, NJ 07962-1997

(973) 538-4006

Attorneys for <<REQUESTING
PARTY(IES)>>

<<CAPTION>>

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY
DOCKET NO. BER-L-<<DOCKET#>> MT
CASE CODE 240CIVIL ACTION
DIET DRUG LITIGATION**ORDER ISSUING COMMISSION TO
COMPEL OUT-OF-STATE DISCOVERY**

THIS MATTER having been opened to the court upon application by <<FIRM
NAME>>, attorneys for <<REQUESTING PARTY(IES)>>, for the issuance of a Commission
to compel the out-of-state witness(es) listed herein to testify by deposition on oral examination
and produce documents and things for use in this action, and good cause having been shown,

IT IS on this day of , 2004, ORDERED AS FOLLOWS:

1. The application to issue a Commission for the issuance of a subpoena compelling
<<WITNESS(ES)>> to testify by deposition upon oral examination and to produce certain
documents and things is hereby granted, and the following Commission is hereby issued:

COMMISSION

The Superior Court of New Jersey hereby respectfully commissions and requests
the assistance of the Courts of the State of <<STATE>>, or such subordinate
office as it may designate, to compel the attendance of the following witness(es)
to testify under oath by deposition upon oral examination at such time and place
designated in the subpoena(s) that shall issue pursuant to this Commission, and to
produce certain documents and things pursuant to subpoena, within the State of
<<STATE>>, and in accordance with New Jersey Court Rule 4:14:
<<WITNESS(ES)>>.

The designated agent of <<FIRM NAME>> is hereby authorized to cause to be issued and served a subpoena(s) compelling the witness(es) listed above to appear for deposition upon oral examination at the time and place designated in the subpoena(s) and produce certain documents and things at the time of the deposition(s).

2. A copy of this Order shall be served upon all counsel of record in this action upon receipt.

Hon. Charles J. Walsh, J.S.C.